

**BOARD OF SELECTMEN  
MEETING MINUTES  
TUESDAY, NOVEMBER 8, 2005  
ABLONDI ROOM**

1 **Attendance:** Katherine E. Murphy, Chair; John H. Stasik, Vice Chair; Charles J.  
2 Sisitsky, Clerk; Dennis L. Giombetti, Member

3  
4 **Staff:** George P. King, Jr., Town Manager; Mark J. Purple, Assistant Town Manager;  
5 Scott T. Morelli, Executive Assistant

6  
7 Meeting called to order at 6:30 PM.

8  
9 Mr. Stasik was not present.

10  
11 MOVED: To enter into executive session for the purpose of bargaining with a non-union  
12 employee and pending litigation.

13 Motion: Mr. Sisitsky                      Second: Mr. Giombetti

14 VOTE: 3-0-0

15  
16 Mr. Stasik entered the room during executive session. Mr. Purple, who exited the room  
17 for the final portion of executive session, also entered the room.

18  
19 Upon returning to open session at 7:25 PM, Ms. Murphy read the agenda.

20  
21 Public Participation

22 Mr. Harold Wolfe requested an update on his request. Ms. Murphy said she reviewed his  
23 request and decided to bring it to the entire Board to discuss how it should be addressed.

24 Mr. Wolfe asked Mr. King about the surveillance camera on top of the Memorial  
25 Building. Mr. King said it was under the control of the Building Services Department, it  
26 was used for security, and it had been here for over five years.

27  
28 Public Hearings

29 *Consideration of Transfer of Common Victualer's License – Pizza Wagon, 1 Hamilton*  
30 *Street*

31 Mr. William Goldberg was an attorney representing Pizza Wagon. He said there would  
32 not be a change to the footprint of the store and noted that there was ample parking.

33  
34 Ms. Murphy asked if the grease interceptor was in place. Mr. Goldberg said it was not  
35 but that it would be done, along with a few other items.

36  
37 MOVED: To approve the transfer of the Common Victualer's License to Pizza Wagon,  
38 as conditioned by the Public Works Department.

39 Motion: Mr. Stasik                      Second: Mr. Sisitsky

40 VOTE: 4-0-0

41  
42 *Consideration of Petition for New Conduit – Rosewood Development (Grant Street)*

43 Mr. Dave DiPietri represented Rosewood Development. He said the conduit would feed  
44 the new parking garage on Clinton Street. Mr. Giombetti asked if this was the same

1 agreement for the conduits approved for Howard Street. Mr. DiPietri said this was  
2 correct. Mr. Sisitsky asked when it would be installed. Mr. DiPietri said within two to  
3 three weeks. Mr. Sisitsky thought there was a cutoff date to stop issuing permits. Mr.  
4 King said it was flexible based on the weather after November 15, 2005. Mr. Giombetti  
5 asked how long street would be opened. Mr. DiPietri said one day.

6  
7 MOVED: To approve the petition for new conduit to Rosewood Development.

8 Motion: Mr. Sisitsky                      Second: Mr. Giombetti

9 VOTE: 4-0-0

10  
11 Action Items

12 *Consideration of START Program Appointments*

13 Ms. Rebecca Justice, an executive committee member of the START Partnership,  
14 reviewed a memo submitted by Ms. Carla Fink, START Director, including a history of  
15 the partnership and future goals. She recommended a list of over 40 members to be  
16 appointed or reappointed to the START Partnership by the Board. Mr. Sisitsky asked  
17 how many slots there were total. Ms. Justice was unsure but said everyone who applied  
18 would fill a slot. She read the list of applicants, including two that were not on the  
19 original list.

20  
21 Ms. Kathleen Bartolini, Director of Planning and Economic Development, said the  
22 committee needed many more applicants and asked the Board to submit more names to  
23 START in the coming weeks. She said she would like START's membership up to 80  
24 and noted that its membership was lacking in representation from civic organizations,  
25 businesses, and diversity. Mr. Giombetti said he was interested in serving on START.

26  
27 MOVED: To approve the appointments to the START Program Committee as proposed  
28 by Ms. Justice, including Mr. Giombetti.

29 Motion: Mr. Stasik                      Second: Mr. Sisitsky

30 VOTE: 4-0-0

31  
32 *Consideration of Opening and Closing the Warrant for a Special Town Meeting*

33 Mr. King said he recommended a December 7, 2005 Special Town Meeting date for the  
34 one rezoning article. Ms. Murphy noted that the Rotary was holding an auction on the  
35 same night and Board members discussed the possibility of a date change.

36  
37 MOVED: To close the warrant for the Special Town Meeting to be held on Wednesday,  
38 December 7, 2005.

39 Motion: Mr. Sisitsky                      Second: Mr. Giombetti

40 VOTE: 4-0-0

41  
42 Division Update: Planning and Economic Development

43 Ms. Kathleen Bartolini, Director of Planning and Economic Development, gave a  
44 PowerPoint presentation to the Board. She noted the division's purpose and objectives,  
45 including fostering compatible land uses, stimulating economic development, developing  
46 multi-modal transportation systems, creating and rehabilitating high quality housing,  
47 preserving and managing open space, revitalizing the downtown and neighborhoods,

1 preserving historic properties and landscapes, and generating additional funds for the  
2 Town via grants. Ms. Bartolini also noted items administrated by the division, including  
3 federal community development block grants, the federal HOME program, the soft  
4 second loan program, the Conservation Commission, the Zoning Board of Appeals, LIFT  
5 transportation, and Busy Bee and Tommy's Taxi. She noted the hierarchy of the division  
6 and some of the functions of each branch.

7  
8 Ms. Bartolini noted the division's goals for fiscal year 2006, which included: 1)  
9 Establishing significant destinations in the downtown to draw people back to the central  
10 business district and, once there, work to convert this foot traffic into customers; 2)  
11 Prioritize EDIC in order to establish this board as the key entity to manage the Town's  
12 business constituency and maintain and grow new business in Town; 3) Create a  
13 Transportation Vision and Strategy for Framingham; and 4) Coordinate with the Planning  
14 Board and Board of Selectmen to initiate a Master Planning Program approved at the  
15 2005 Annual Town Meeting.

16  
17 Ms. Bartolini noted the EDIC's FY06 work program and the FDR's mission. She noted  
18 the recent hiring of two new planners. Ms. Bartolini gave the Board a LIFT ridership and  
19 first quarter analysis for FY04-FY06. She said the LIFT increased its ridership during  
20 this time and noted the first quarter of FY06 was ahead of FY05 by 33%.

21  
22 Mr. Stasik asked for an update on the Regional Transit Authority (RTA). Ms. Bartolini  
23 said the Board needed to decide on this matter and noted that it was a goal under the  
24 Transportation Division. Mr. Stasik said that RTA discussions were occurring at many  
25 levels but that the decisions would have to be made by the Board and Town Meeting.  
26 Ms. Bartolini said Framingham was the only Town operating a bus system out of its  
27 Planning Department. She said Natick ran a small internal program.

28  
29 Ms. Murphy asked if EDIC had a budget. Ms. Bartolini said that Town Meeting had  
30 never appropriated one but noted that EDIC did receive a \$5,000 gift given to them  
31 several years ago.

32  
33 Ms. Murphy asked about the TIP and if they were pushing Framingham projects. Ms.  
34 Bartolini said when Mr. Stasik and Ms. Esty were there they had to represent all of the  
35 communities but when it was time to file they could be very active for the community.

36  
37 Mr. Giombetti asked about downtown revitalization and wondered if Town had an  
38 overarching strategy and vision for it. Ms. Bartolini said that a downtown revitalization  
39 strategy was adopted by the Board in 1997 and said it could be updated and noted that  
40 she would like to have a market study completed. She also noted a strategy for FDR.  
41 Mr. Giombetti suggested looking at this strategy and vision to make sure it was still  
42 appropriate and to return to a future Board meeting to report back and discuss.

43  
44 Mr. Giombetti asked about housing in the downtown area and asked if the Town could  
45 put together a program to encourage owner occupancy. He suggested doing a pilot  
46 program in a downtown area. Ms. Murphy said this issue was also often mentioned at the  
47 Housing Liaison Committee meetings.

1  
2 Mr. Giombetti said redevelopment was important and wondered if there was a way to  
3 challenge a group to look at how to proactively bring businesses into those environments.  
4 Ms. Bartolini said this could be done on a site-by-site and owner-by-owner basis but  
5 noted that it would take a good deal of time. She said EDIC was looking into this.  
6

7 Mr. Giombetti asked who would be involved in creating the transportation development  
8 strategy. Ms. Bartolini said the Board were the Road Commissioners so they would  
9 ultimately be responsible.  
10

#### 11 Discussion of Town Manager Search Process

12 Ms. Murphy said the Town Manager Search Committee would be appointed tonight.  
13

14 Ms. Murphy noted Ms. Esty's appointments of Ms. Nancy Wilson and Ms. Paula Correia.  
15

16 Mr. Stasik appointed Ms. Audrey Hall and Mr. Laurence Marsh.  
17

18 Mr. Giombetti appointed Ms. Margo Dean and Mr. Robert Merusi.  
19

20 Mr. Sisitsky appointed Mr. John Kahn and Ms. Laurie Jean Carroll.  
21

22 Ms. Murphy appointed Ms. Gail McNair and Dr. Esther Hopkins.  
23

24 Dr. Hopkins said this was a very important assignment and noted that she could bring  
25 valuable skills to the committee.  
26

27 Mr. Stasik asked what the Board thought of appointing an alternate member in case a  
28 member was lost or absent during the process. He said they would go to all the meetings  
29 but would not vote unless there was an absence. He suggested Mr. Joel Winnett fill this  
30 position. Mr. Giombetti thought this was a good idea but suggested opening up the  
31 process for additional applicants.  
32

33 MOVED: That the suggested names be appointed by the Board to the Town Manager  
34 Search Committee.

35 Motion: Mr. Stasik                      Second: Mr. Giombetti

36 VOTE: 4-0-0  
37

38 Ms. Murphy suggested a first meeting date after November 15, 2005. She asked for an  
39 update on the consultant.  
40

41 Mr. Purple met with Ms. Monica Visco, Director of Human Resources, and they  
42 compiled the RFP, which was due November 12, 2005 at 5 PM. He said proposals were  
43 ranked from lowest to highest and he and Ms. Visco would compile a package and  
44 deliver it to the Board November 14, 2005 with summary sheets. Mr. Purple said that  
45 since this was an RFP the Board did not have to go with the lowest bidder.  
46

1 Mr. Giombetti asked if the Board could meet with potential consultants. Mr. Purple  
2 suggested doing this before the price proposal. The Board agreed to meet with potential  
3 consultants at the next meeting. Mr. Sisitsky asked how this affected the time schedule.  
4 Mr. King said the Board could open these at the meeting after they met with the  
5 potentials. He said Mr. Purple would have the non-prices opened on November 14, 2005  
6 and then would open the prices at the meeting on November 15, 2005.

7  
8 Ms. Murphy said the Board had discussed focus groups to get community input. She said  
9 she spoke with precinct chairs about what they wanted to see in a Town Manager and  
10 noted that there were many different groups with whom the Board could have dialogue  
11 with on this topic.

12  
13 Mr. William LeBarge thanked Ms. Murphy for opening up the process to the people. He  
14 said he thought this was something the precinct chairs could facilitate and would be  
15 valuable. Ms. Murphy said she would work out a schedule and see if she could set a  
16 meeting before Thanksgiving to see how it would work. Mr. Sisitsky said he wanted to  
17 be sure that people other than just Town Meeting members would be included.

18  
19 Dr. Hopkins wanted to know what the committee's role would be. Ms. Murphy said it  
20 would be reviewing resumes and looking at qualifications. Dr. Hopkins said the search  
21 committee would be the one who would get the information from the focus groups, in  
22 addition to the resumes. Mr. Stasik said he envisioned some Board members trying to  
23 reach out to parts of the Town through February 2006 and was concerned with the search  
24 committee having full membership at these meetings. Dr. Hopkins asked how the input  
25 from the focus groups would reach the search committee. Mr. Giombetti said in the past  
26 he independently sought out opinions from Town residents when he was on a search  
27 committee. He said he saw the Board going out to the community to discuss various  
28 subjects, including the Town Manager search, but that the committee would be welcome  
29 to come to these meetings. Dr. Hopkins clarified that the Board focus group meetings  
30 would not prohibit the committee from having its own meetings. Mr. Stasik suggested  
31 proposing a timeline and suggested groups to speak with.

32  
33 Town Manager's Report

34 Mr. King noted that Mr. John Bertorelli, Town Engineer, would be retiring after 31 years  
35 of service. Mr. Giombetti asked if the Town did anything for long-term employees who  
36 were leaving and Mr. King said these events were organized at the department level. Mr.  
37 Giombetti asked that the Board be informed of such events.

38  
39 Selectmen's Reports

40 *Route 126/135 Committee Update*

41 Mr. Stasik said the committee had nearly been finalized. Mr. Sisitsky said Natick was  
42 meeting Thursday night to consider Mr. Moy and another candidate.

43  
44 MOVED: To appoint Ms. Pam Bathen as the Ashland representative as indicated by the  
45 Board of Selectmen for Ashland.

46 Motion: Mr. Stasik                      Second: Mr. Giombetti

47 VOTE: 4-0-0

1  
2 Mr. Stasik read through the list of appointees and said the steering committee would  
3 consist of the Board co-chairs, the Planning Board member, the Director of Public Works  
4 or the Town Engineer, the Director of Planning and Economic Development, Mr. John  
5 Steacie from EDIC, and Mr. Ted Welte from the Chamber of Commerce. Mr. Sisitsky  
6 said that the first meeting would be on November 28, 2005. Mr. Stasik said all meetings  
7 were open and that votes would be taken by the entire committee. He said the goal was  
8 to have the Board decide on a solution so it could be included in the MPO Transportation  
9 Plan in early April 2006.

10  
11 Mr. Giombetti said he attended a meeting about improvements to Loring Arena and  
12 encouraged donations as it needed upgrades.

13  
14 Mr. Giombetti said the Social Service Subcommittee met and Mr. Jerry Desilets of  
15 SMOC gave an update on the wet shelter and the arrangements made with Town. He  
16 said Ms. Christine Griffin from the Disability Law Center gave a presentation to the  
17 committee. Mr. Sisitsky said they focused on three laws, including the Dover  
18 Amendment, the Fair Housing Act Amendment, and the 504 Program which prevented  
19 discrimination against people with disabilities. Mr. Giombetti said there was also a  
20 discussion to have the Secretary of Human Services come to speak at a Board meeting  
21 and to also invite the PILOT committee.

22  
23 Mr. Giombetti said he had spoken with the Major at the Salvation Army and suggested  
24 meeting with their Boston delegation about moving the Salvation Army off Concord  
25 Street. He told the Major he would check with the Board to see if this was something the  
26 Board wanted to pursue.

27  
28 MOVED: That the subcommittee continue discussions with the Salvation Army as to the  
29 possible relocation of the Salvation Army.

30 Motion: Mr. Stasik                      Second: Mr. Sisitsky

31 VOTE: 4-0-0

32  
33 Mr. Giombetti said there was a letter from the Massachusetts Community Health Care  
34 Foundation asking for suggestions for possible Board members when vacancies occurred  
35 in January. He said he would like to solicit applicants for this position.

36  
37 Ms. Murphy said she and Mr. Stasik attended the MetroWest Growth Management  
38 breakfast last week and she expressed concerns to area legislators, including a request for  
39 funding for the snow and ice deficit.

40  
41 Ms. Murphy said she wanted guidance from the Board on Mr. Wolfe's questions. She  
42 read Mr. Wolfe's questions, including: Why was the Town not exacting penalties for  
43 those who did not post their bylaws?; Why was the administration not being penalized for  
44 not presenting a financial forecast?; Who else was exempt from the Town bylaws?; What  
45 were the requirements to be exempt from the Town bylaws?; and Why were penalties  
46 applied? Mr. Stasik said individuals were not penalized for not adhering to bylaws. Mr.  
47 Sisitsky said the Board did the right thing by educating the Human Relations

1 Commission. Ms. Murphy said Mr. Wolfe claimed there were fines for any bylaw  
2 violation. Mr. Stasik asked who the enforcing authority was. Mr. King said some bylaws  
3 specified and others did not. Mr. Giombetti asked if the Town wanted to fine volunteers  
4 and the Board agreed it did not. Mr. Giombetti said the Board could educate but not fine.  
5 Mr. King said the Town Clerk enforced minutes submission. Ms. Murphy said she would  
6 draft a letter in response and bring it to the Board next week. Mr. King wondered how  
7 much time should be spent on responding to questions such as these.

8  
9 MOVED: To adjourn.

10 Motion: Mr. Sisitsky                      Second: Mr. Stasik

11 VOTE: 4-0-0

12  
13  
14 Meeting adjourned at 9:44 PM.

15  
16  
17 Respectfully submitted,

18  
19  
20  
21 Charles J. Sisitsky, Clerk